



**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 3, 2004, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**MICHAEL WAY,  
a/k/a  
“CHARLES DAVIS,”**

knowingly possessed a firearm, that is a 380 caliber FIE Titan-MOD semi-automatic, serial number B108161, loaded with seven live rounds in its magazine and one live round in its chamber, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1),

In violation of Title 18, United States Code, Section 924(c)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violation of Title 18, United States Code, Section(s) 924(c)(1), set forth in this indictment, the defendant

**MICHAEL WAY,  
a/k/a  
“CHARLES DAVIS,”**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of such offense(s), including, but not limited to:

**A 38 caliber FIE Titan-MOD semi-automatic, serial number B108161**

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

**NOTICE OF ADDITIONAL FACTORS**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. In committing the offenses charged in Count One and Count Two of this indictment, defendant

**MICHAEL WAY,  
a/k/a  
“CHARLES DAVIS,”**

committed an offense and relevant conduct involving more than 5 grams, that is approximately 48 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance as described in U.S.S.G. § 2D1.1(a)(3).

**A TRUE BILL:**

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**FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**